

MINUTES OF THE MEETING
JUDICIARY COMMITTEE
MONTANA STATE SENATE

January 4, 1983

The first meeting of the Judiciary Committee was called to order by Chairman Jean A. Turnage on January 4, 1981 at 10:00 a.m. in Room 325, State Capitol.

ROLL CALL: All members were present.

SENATE BILL NOS. 14 AND 15: Senator Mazurek, sponsor of these bills, explained that they were proposed by the code commission in order to clarify errors found in the substance of the codes.

SENATE BILL NO. 14: SB14 is an act to clarify the law relating to the termination of the parent-child relationship and amends section 41-3-603, MCA. This bill will delete redundant and incorrect language.

There were no further proponents and no opponents.

Chairman Turnage called for questions and there being none the hearing was closed.

SENATE BILL NO. 15: Senator Mazurek, sponsor of the bill, explained changes SB15 would cause in the code. SB15 would achieve consistency for the word "minor." The word "infant" will be amended to "minor" where appropriate throughout the code. The word "minor" will only be used as a definition.

There were no further proponents and no opponents.

The hearing was closed and moved into executive session.

ACTION ON SENATE BILL NO. 14: Senator Brown made a motion that SB14 DO PASS. The motion was seconded and passed unanimously.

ACTION ON SENATE BILL NO. 15: Senator Galt moved that SB15 DO PASS. The bill was passed unanimously.

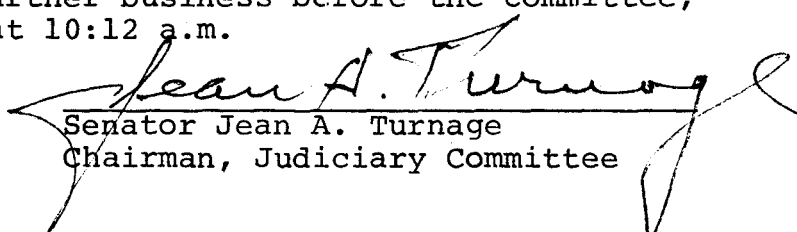
Chairman Turnage then advised the committee that David Niss will be available to assist them, but not to overburden him with "make work projects." David Niss prepared a memo and distributed it to the committee. The memo advises the committee of the functions David Niss will perform (Exhibit "A"). Chairman Turnage then warned the committee that difficult problems they should come across should be checked with care with David Niss so as to avoid technical problems occurring in the future.

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Chairman Turnage then informed the committee of an interim study bill regarding judicial district boundaries. The Bar would like the Judiciary Committee to meet jointly with the House so as to enable more people to come testify at one time.

Chairman Turnage then advised the committee that if they were in need of special hearing dates for bills they should let him know.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 10:12 a.m.



Senator Jean A. Turnage
Chairman, Judiciary Committee

ROLL CALL

JUDICIARY COMMITTEE

48th LEGISLATIVE SESSION - - 1983

Date 1-4-83

NAME	PRESENT	ABSENT	EXCUSED
	✓		
<u>Berg, Harry K. (D)</u>			
	✓		
<u>Brown, Bob (R)</u>			
	✓		
<u>Crippen, Bruce D. (R)</u>			
	✓		
<u>Daniels, M. K. (D)</u>			
	✓		
<u>Galt, Jack E. (R)</u>			
	✓		
<u>Halligan, Mike (D)</u>			
	✓		
<u>Hazelbaker, Frank W. (R)</u>			
	✓		
<u>Mazurek, Joseph P. (D)</u>			
	✓		
<u>Shaw, James N. (R)</u>			
	✓		
<u>Turnage, Jean A. (R)</u>			

Each day attach to minutes

January 4, 1983

BILL NO. SB14 & SB15

[illegible]

(Please leave prepared statement with Secretary)



Montana Legislative Council

State Capitol
Helena, MT. 59620

(406) 449-3064

SENATE MEMBERS

PAT M. GOODOVER
CHAIRMAN
CARROLL GRAHAM
JOSEPH P. MAZUREK
JESSE O'HARA

HOUSE MEMBERS

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DIRECTOR, LEGISLATIVE SERVICES
ROBERT PERSON
DIRECTOR, RESEARCH
SHAROLE CONNELLY
DIRECTOR, ACCOUNTING DIVISION
ROBERT C. PYFER
DIRECTOR, LEGAL SERVICES

TO: Senate Judiciary Committee, 48th Legislature
FROM: David S. Niss, Staff Attorney and Committee Counsel
RE: Services available to Committee Members
DATE: December, 1982

I will perform the following functions in support of the Senate Judiciary Committee:

- 1) review proposed legislation and advise the Committee as to constitutionality, internal consistency, possibility of conflict with or duplication of existing law or other bills, and compliance with other bill drafting provisions such as grammar, punctuation, word choice, and statutory sentence structure;
- 2) research other states' laws pertaining to a given bill upon request of a Committee member;
- 3) assist the Committee or individual members in obtaining data or any pertinent information from governmental entities pertaining to bills under deliberation;
- 4) draft proposed amendments upon request of individual Committee members prior to Committee action on a given bill;
- 5) review all amendments adopted by the Committee with the same bill drafting guidelines applied to the original bill -- with the Chairman's authorization to make necessary changes in grammar, punctuation, word choice, and sentence structure, not affecting meaning, that may be detected between Committee adoption and delivery of the Standing Committee Report, subject to review by the Chairman before signing the report;
- 6) draft proposed amendments to be moved on Second Reading upon request of any Committee member;

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- 7) review drafts of Committee minutes to assist the secretary in accurately reflecting the deliberations and intent of the Committee'
- 8) draft statements of legislative intent or obtain drafts from state agencies when directed by the Committee;
- 9) draft Committee bills when requested by the Committee;
- 10) attend subcommittee meetings when assigned by the Chairman to perform the appropriate functions listed above; and
- 11) attend conference committee or free conference committee deliberations as invited to perform the appropriate functions listed above.

DSN:ee

STANDING COMMITTEE REPORT

January 4, 19 83

MR. **PRESIDENT**

We, your committee on **Judiciary**

having had under consideration **Senate** Bill No. **14**

Respectfully report as follows: That **Senate** Bill No. **14**

DO PASS

STANDING COMMITTEE REPORT

January 4, 19 83

MR. PRESIDENT

We, your committee on Judiciary

having had under consideration Senate Bill No. 15

Respectfully report as follows: That Senate Bill No. 15

DO PASS